

KATHY A. DOCKERY  
CHAPTER 13 TRUSTEE  
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UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA  
LOS ANGELES DIVISION

IN RE:

GLADYS GRACE LIAD  
VILLACORTA

DEBTOR(S).

Case No: 2:24-bk-13211-SK

CHAPTER 13

**NOTICE OF MOTION AND MOTION TO EXTEND  
TIME BY 60 DAYS TO FILE THE CHAPTER 13  
TRUSTEE'S FINAL REPORT AND ACCOUNT DUE  
TO CONVERSION OF CASE TO CHAPTER 7  
BANKRUPTCY**

[NO HEARING REQUIRED]

TO THE HONORABLE SANDRA R. KLEIN, UNITED STATES BANKRUPTCY JUDGE AND ALL PARTIES IN  
INTEREST:

NOTICE IS HEREBY GIVEN that the Chapter 13 Trustee Kathy A. Dockery ("Trustee") will move this Court for an Order Extending Time by 60 Days to File the Chapter 13 Trustee's Final Report and Account Due to Conversion of the Case to Chapter 7 Bankruptcy ("Motion").

Pursuant to Local Bankruptcy Rule 9013-1(o)(1), any party filing a response to this Motion must file with the court and serve on the Trustee a written response and request for hearing on the Motion. If you fail to file a written response within 14 days of the date of service of this notice, the court may treat such failure as a waiver of your right to oppose the Motion and may grant the Motion.

DATED: 12/6/2024



KATHY A. DOCKERY, CHAPTER 13 TRUSTEE

**MEMORANDUM OF POINTS AND AUTHORITIES**

**THE COURT IS AUTHORIZED TO EXTEND THE TIME TO FILE A FINAL REPORT.**

*Federal Bankruptcy Rule* 1019(5)(B)(ii) provides as follows:

(B) *Conversion of Chapter 13 Case.* Unless the court directs otherwise, if a chapter 13 case is converted to chapter 7,  
  
(ii) the trustee, not later than 30 days after conversion of the case, shall file and transmit to the United States trustee a final report and account” [Emphasis Added.]

In the instant case, the Trustee requires further time to file her final report and account in order to file an accurate final report for the court, the debtor and all other parties in interest. Specifically, cause exists to extend time by 60 days beyond the statutory 30 day period because all disbursement checks issued to pay administrative fees pursuant to *Local Bankruptcy Rule* 3015-1(q)(6)(A) and any refund due to the debtor(s) have not been negotiated and all parties have 60 days to do so upon issuance of the disbursement check

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<sup>1</sup> *Local Bankruptcy Rule* 3015-1(q)(6)(A) provides in pertinent part as follows: The chapter 13 trustee must hold any remaining property until at least 14 days have passed after entry of the order dismissing or converting the case. Within 14 days of dismissal or conversion any person or entity asserting an administrative expense under 11 U.S.C. § 503 (including, without limitation, a claim for professional fees), or a claim under §1326(a)(2) and (3), must file an application, motion or other written request for payment thereof, set it for hearing if required, serve it pursuant to the applicable rules, and, if the document is not filed electronically, deliver it to the chapter 13 trustee so that it is received before the end of such 14-day period.

**DECLARATION OF KATHY A. DOCKERY**

I, Kathy A. Dockery, declare as follows:

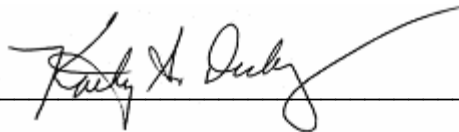
1. I am the standing Chapter 13 Trustee in this matter and by virtue thereof, I have personal knowledge of files and records kept by my office in the regular course of business. I have personally reviewed the files and records kept by my office in the within case. The following facts are true and correct and within my own personal knowledge and I could and would testify competently thereto if called to do so.

2. On 12/3/2024 the instant case was converted to chapter 7 bankruptcy.

3. The administrative expense disbursement checks and/or the debtor's refund check have not been negotiated or the 30 day period to file an objection to the Notice of Intent to File Final Report has not expired and I require an additional 60 days beyond the statutory 30 day period to ensure that all checks are deposited and accounted for accurately in the Trustee's Final Report and Account.

I, declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATED: 12/6/24

A handwritten signature in black ink, appearing to read "Kathy A. Dockery", is written over a horizontal line.

KATHY A. DOCKERY, CHAPTER 13 TRUSTEE